

Order

Michigan Supreme Court
Lansing, Michigan

June 19, 2015

Robert P. Young, Jr.,
Chief Justice

Stephen J. Markman

Mary Beth Kelly

Brian K. Zahra

Bridget M. McCormack

David F. Viviano

Richard H. Bernstein,
Justices

149907 & (36)

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 149907
COA: 315193
Jackson CC: 10-006275-FH

ERIC D. MOORE,
Defendant-Appellant.

By order of April 3, 2015, the prosecuting attorney was directed to answer the application for leave to appeal the June 24, 2014 judgment of the Court of Appeals. On order of the Court, the answer having been received, the application for leave to appeal is again considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE in part the judgment of the Court of Appeals. The Court of Appeals erred in stating that insanity is not a defense to general intent crimes. The insanity defense statute, MCL 768.21a, does not limit application of the defense to specific intent crimes. Rather, the statute makes clear that insanity is a defense to all crimes, including general intent and strict liability offenses. *Id.* In stating otherwise, the Court of Appeals misinterpreted our decision in *People v Carpenter*, 464 Mich 223 (2001). Relief is not warranted, however, because our review of the record indicates that the evidence which defendant claims was wrongly excluded would not have assisted defendant in proving the defense of insanity by a preponderance of the evidence. See MCL 768.21a(3). In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 19, 2015

Clerk